

# TITLE 14—COAST GUARD

*This title was enacted by act Aug. 4, 1949, ch. 393, § 1, 63 Stat. 495*

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<b>II. Coast Guard Reserve and Auxiliary .....</b>	<b>701</b>

## AMENDMENTS

1986—Pub. L. 99-640, §10(a)(1), Nov. 10, 1986, 100 Stat. 3548, substituted “701” for “751” in item for part II.

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## POSITIVE LAW; CITATION

This title has been enacted into positive law by section 1 of act Aug. 4, 1949, ch. 393, 63 Stat. 495, which provided in part that: “Title 14 of the United States Code, entitled ‘Coast Guard’, is hereby revised, codified, and enacted into law, and may be cited as ‘14 U.S.C., §—.’”

## EFFECTIVE DATE

Section 19 of act Aug. 4, 1949, ch. 393, 63 Stat. 561, provided that: “This Act shall take effect on the first day of the third month after approval by the President but shall not affect any proceedings commenced by or against any person prior to the effective date of this Act.”

## REPEALS

Section 20 of act Aug. 4, 1949, ch. 393, 63 Stat. 561, repealed the sections or parts of sections of the Revised Statutes or Statutes at Large covering provisions codified in this act, with a proviso that “any rights or liabilities now existing under such sections or parts thereof shall not be affected by such repeal”.

## LEGISLATIVE CONSTRUCTION

Section 3 of act Aug. 4, 1949, ch. 393, 63 Stat. 557, provided that: “No inference of a legislative construction

is to be drawn by reason of the chapter in Title 14, Coast Guard, as set out in section 1 of this Act, in which any section is placed, nor by reason of the catch lines used in such title.”

#### SEPARABILITY

Section 2 of act Aug. 4, 1949, ch. 393, 63 Stat. 557, provided that: “If any part of Title 14, United States Code, as enacted by section 1 of this Act, shall be held invalid the remainder of such title shall not be affected thereby.”

#### ORDERS, RULES, AND REGULATIONS

Section 4 of act Aug. 4, 1949, ch. 393, 63 Stat. 558, provided that: “All orders, rules, and regulations of the Coast Guard in effect under provisions of law superseded or amended by this Act shall, to the extent they would have been authorized under this Act, remain in force and effect as the regulations and orders under the provisions of this Act and shall be administered and enforced under this Act as nearly as may be until specifically repealed, amended, or revised.”

#### REDUCTION IN GRADE, RANK, PAY, ALLOWANCES, AND BENEFITS

Section 5 of act Aug. 4, 1949, ch. 393, 63 Stat. 558, provided that: “Nothing contained in this Act shall operate to abolish or reduce the grade, rank, rating, pay, allowances, or other benefits to which any person in the Coast Guard is entitled on the effective date of this Act.”

#### TITLE REFERRED TO IN OTHER SECTIONS

This title is referred to in title 10 sections 379, 1174, 1406, 12646.

## PART I—REGULAR COAST GUARD

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#### AMENDMENTS

1996—Pub. L. 104-324, title II, §208(c), Oct. 19, 1996, 110 Stat. 3913, added item for chapter 18.

1989—Pub. L. 101-225, title II, §222(b), Dec. 12, 1989, 103 Stat. 1918, added item for chapter 19.

1950—Act May 5, 1950, ch. 169, §§5, 14(v), 64 Stat. 148, repealed item for chapter 15 “Discipline and Related Matters—561”, effective May 31, 1951.

## CHAPTER 1—ESTABLISHMENT AND DUTIES

Sec.	
1.	Establishment of Coast Guard.
2.	Primary duties.
3.	Relationship to Navy Department.
4.	Operation as a service in the Navy.
5.	“Secretary” defined.

### § 1. Establishment of Coast Guard

The Coast Guard as established January 28, 1915, shall be a military service and a branch of

the armed forces of the United States at all times. The Coast Guard shall be a service in the Department of Transportation, except when operating as a service in the Navy.

(Aug. 4, 1949, ch. 393, 63 Stat. 496; Oct. 18, 1976, Pub. L. 94-546, §1(1), 90 Stat. 2519.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §1 (Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; July 11, 1941, ch. 290, §§5, 6(a), 55 Stat. 585).

Said section has been divided. Provisions relating to operation under the Navy in time of war are placed in sections 3 and 4 of this title, and the remainder is in this section.

This section continues the Coast Guard as a military service and branch of the armed forces of the United States at all times. By the act of July 11, 1941, 55 Stat. 585 (title 14, U.S.C., 1946 ed., §1), the Coast Guard was constituted a branch of the land and naval forces of the United States at all times. This section therefore merely continues an existing agency and codifies existing law on the military status of the Coast Guard, substituting “armed forces” for “land and naval forces” because of the recent establishment of the Department of the Air Force as an “armed force” rather than as a part of the “land and naval forces”. The Coast Guard is designated a service in the Treasury Department except when operating as a service in the Navy. This is a better definition of the status of the Coast Guard than one which defines it as a service under the Treasury Department in time of peace, because the President is authorized to place the Coast Guard under the Navy in time of emergency, which could be in time of peace.

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### AMENDMENTS

1976—Pub. L. 94-546 substituted “Department of Transportation” for “Treasury Department”.

#### TRANSFER OF FUNCTIONS

Coast Guard transferred to Department of Transportation and all functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other offices and officers of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 931. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of this title. See section 108 of Title 49, Transportation.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 46 section 2101.

### § 2. Primary duties

The Coast Guard shall enforce or assist in the enforcement of all applicable Federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States; shall engage in maritime air surveillance or interdiction to enforce or assist in the enforcement of the laws of the United States; shall administer laws and promulgate and enforce regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States covering all matters not specifically delegated by law to some other executive department; shall develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, ice-breaking facilities, and rescue facilities for the promotion of

<sup>1</sup> So in original. Does not conform to chapter heading.